

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

IN RE:	)	CHAPTER 7
	)	
CYRUS MEAD IV,	)	CASE NO. 10-09630-8-SWH
	)	
Debtor.	)	

**MOTION TO REOPEN CHAPTER 7 CASE AND HOLD MADELEINE M.  
WARD IN CONTEMPT OF COURT**

NOW COMES Cyrus Mead IV, the Debtor, and asks this court to reopen his Chapter 7 case, hold Ms. Madeleine M. Ward in contempt of court for violation of the discharge injunction and issue sanctions as this court deems appropriate. The debtor states as follows:

1. The Debtor filed for relief under Chapter 7 of the Bankruptcy Code on November 22, 2010.
2. On April 4, 2011, Ms. Ward filed an Adversary Proceeding (Case Number 11-00113-8-SWH) against the Debtor in this Court. The Adversary Proceeding was dismissed on August 11, 2011 and closed on August 28, 2011.
3. The Debtor received his discharge on April 12, 2011 and his bankruptcy case was closed on August 29, 2011, following the dismissal of the Adversary Proceeding.
4. On September 16, 2011, Ms. Ward filed a *pro se* motion to reinstate her complaint against the Debtor in the United States District Court of the Northern District of Illinois, a copy of which is attached hereto as Exhibit A.
5. The filing by Ms. Ward of her motion in Illinois is a willful violation of the injunction arising as a result of the Debtor's discharge in bankruptcy.

Wherefore, the Debtor respectfully requests that the case be re-opened and that this Court hold Ms. Ward in contempt of her court for her violation of the discharge injunction and that the Court issue other sanctions as it deems proper.

This 5<sup>th</sup> day of October, 2011.

JANVIER LAW FIRM, PLLC

/s/ Justine S. O'Connor-Petts

William P. Janvier, N.C.S.B. No. 21136

Justine S. O'Connor-Petts, N.C.S.B. No. 39954

Attorney for Debtor

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**CERTIFICATE OF SERVICE**

I, Justine S. O'Connor-Petts, do hereby certify that a true copy of the foregoing was electronically filed through CM/ECF and served on the parties listed below by depositing a copy of the same in the United States mail bearing sufficient postage or electronically as indicated.

Marjorie K. Lynch  
Bankruptcy Administrator (Via CM/ECF)  
Post Office Box 3758  
Wilson, NC 27895-3758

Holmes P. Harden, Trustee (via CM/ECF)  
Williams Mullen  
P. O. Drawer 1000  
Raleigh, NC 27602

Madeleine M. Ward (via U.S. Mail)  
1911 S. Clark St.  
Unit D  
Chicago, IL 60616

This the 5<sup>th</sup> day of October, 2011.

JANVIER LAW FIRM, PLLC

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